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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**AUXILIUM PHARMACEUTICALS, INC.  
and FCB I LLC,**

**Plaintiffs,**

**v.**

**WATSON LABORATORIES, INC.,**

**Defendant.**

**Civil Action No. 12-3084 (JLL)(MAH)**

**Hon. Jose L. Linares, U.S.D.J.  
Hon. Michael A. Hammer, U.S.M.J.**

**(Filed Electronically)**

**ORDER TO SEAL CERTAIN MATERIALS PURSUANT TO L. CIV. R. 5.3**

THIS MATTER, having been brought before the Court on plaintiff Auxilium Pharmaceuticals, Inc.'s ("Auxilium") Motion to Seal Certain Materials Pursuant to L. Civ. R. 5.3; and the Court having considered the submissions of the parties in connection with the motion; and the Court having considered the factors contained in L. Civ. R. 5.3(c)(2), the Court makes the following Findings of Fact and Conclusions of Law:

- Certain portions of the May 22, 2013 Transcript of Proceedings (D.I. 89) (hereinafter, "the Transcript") contain certain trade secret and other confidential research, development, commercial and technical information that was designated

by Auxilium as "HIGHLY CONFIDENTIAL – OUTSIDE COUNSEL EYES ONLY."

- Auxilium has a legitimate interest in protecting the confidentiality of its trade secret and other confidential research, development, commercial and technical information.
- Public disclosure of this information would cause Auxilium significant harm because public disclosure of this trade secret and other confidential research, development, commercial and technical information and would provide the public insight into the business and operations of Auxilium, its processes in considering, researching, and developing its proprietary technology, and would give competitors an unfair advantage.
- There is no less restrictive alternative available than to seal such information because the redactions are limited in scope and include only certain portions of the Transcript that contains trade secret and other confidential research, development, commercial and technical information that has been designated by Auxilium as "HIGHLY CONFIDENTIAL – OUTSIDE COUNSEL EYES ONLY."

WHEREFORE, the Court having found that there are legitimate public and private interests which warrant the relief sought; and for good cause shown:

IT IS ON THIS 30<sup>th</sup> day of October, 2013

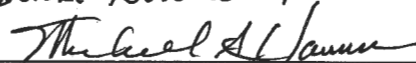
ORDERED THAT:

The following portions of the Transcript that contain trade secret and other confidential research, development, commercial and technical information designated by Auxilium as

“HIGHLY CONFIDENTIAL – OUTSIDE COUNSEL EYES ONLY” are hereby SEALED:

- Page 12, lines 22-25, the words following "corner" to the end of the page;
- Page 13, lines 1-2, the entire carryover paragraph;
- Page 13, lines 3-6, the words following "Binder 1" to the end of the sentence;
- Page 13, lines 11-13, the words following "between" to the end of line 13;
- Page 32, line 18, the words following "O'MALLEY:" to the end of the sentence;
- Page 32, lines 21-23, the entire lines 21 and 22 to the end of the carryover sentence on line 23;
- Page 32, lines 24-25, the words following "at - - " to the end of the page;
- Page 33, lines 1-2, the entire carryover sentence;
- Page 33, line 4, the words following "O'MALLEY" to the end of the sentence;
- Page 33, lines 6-7, the words following "CPE-215" to the end of the sentence;
- Page 33, lines 11-13, the entire sentence;
- Page 33, line 15, the words between "invention" and "like";
- Page 45, lines 20-21, the words between "when" on line 20 and "and we point" on line 21; and
- Page 47, line 17, the entire line excluding the phrase "it has no."

*and it is further Ordered that Plaintiff shall file a redacted version of the May 22, 2013 Transcript on or BEFORE November 11, 2013.*



Hon. Michael A. Hammer, U.S.M.J.